perion of Restraining Holding of the Meeting Also Goes Over-Amdavite as to Effect of Merger and as to the

TRENTON, N. J., Jan. 24. Judge Lanning Judge Cross, sitting in the United lates Circuit Court, listened to-day to arguments of balf a dozen counsel status of Col. Enos Wall and W. Graham, who as stockholders the Utah Copper Company have suceled in temporarily restraining the merger with the Boston Conolidated Company. The case came up from the files the complaint of Col. Wall and Mr. Graham on the ground that e Grabam who verified the complaint was not an actual stockholder of the Upon this question the court rved decision until to-morrow, directthat the stockholders' meeting to ufy the merger, and adjourned until This was also the day which the court ad fixed for the return of the injunction straining the holding of the meeting. the entire day was spent in arguing preliminary motion, and should this decided against the company the injunction proper will be considered to-morrow. Before adjournment counsel for the Utah company handed up to the court affidavits of Daniel Guggenheim and his brothers denying that they or their associates controlled directly or otherwise the affairs of either the Utah or Boston company. There were also affidavits from experts designed to show hat the merger, if consummated, would

Samuel Untermyer, who as counsel for quiring Col. Wall and Graham to show use to-day why their petitions should re of stock of the Utah company, but ringing of the suit. It was argued that was a fraud upon the court and gave Graham no legitimate standing in the

njurious to the Utah company.

Edward A. Day and ex-Supreme Court Justice Gilbert Collins on behalf of Col. Vall and Mr. Graham submitted that it was not within the province of the court to inquire into the manner in which the stock had been acquired by the complainants or what were their motives in inging the litigation.

Among the affidavits submitted to the Court was one by Charles M. MacNeill. resident of the Utah Copper Company nd a director since its organization in Mr. MacNeill described the diectorate as composed of David C. Jacking, a mining engineer, who is vice-resident; R. A. F. Penrose, Jr., geologist nd author; John Hays Hammond, a nining engineer; J. Dawson, Hawkins, rice-president of the United States Reduction and Refining Company, a well snown metallurgist; Charles Hayden and William D. Thompson of New York and Boston banking houses; S. W. Eccles of the Guggenheim Exploration Company, and K. K. McLaren, the New Jersey

wn 127,000 shares of the outstanding 34.750 shares of the Utah company in ddition to the shares which they reprethe Guggenheim Exploration Comany, which is a stockholder to the extent 232 805 shares. The Guggenheims dividually and M. Guggenheim's Sons, fr. MacNeill said, had no interest whatver in the Utah company except 900 hares owned by Solomon R. Guggenheim. one of the directors except Mr. Eccl he declared, represents the interest of the Guggenheims, the Guggenheim Exploraon Company or any of their interests There are 1,500 share holders in the Utah impany, the stock owned and repreented by members of the board other han Eccles and the Guggenheim interests exceeding 240,000 shares. He as-serted that neither of the Guggenheims as ever participated actively in the mangement of the company or attempted to

agement of the con:pany or attempted to guide its policy.

Air. MacNeill devoted a part of his affidavit to disproving the contention that the consolidation would be a violation of the Sherman anti-trust law. He intimated that the combined output of the Utah, Boston and Nevada companies if increased according to expectations would be about 200,000,000 pounds a year. The total output in the United States is about 1,200,000,000 pounds and that of the world about 1,800,000,000, so that the combination would control only about one-sixth of the output of the country and one-ninth of that of the mire world. He also showed that the combination had been ratified by 508,500 shares, or 83 per cent. of the stock of the Utah company.

tah company. Daniel Guggenheim in an affidavit, of Daniel Gurgenheim in an affidavit, of which the contents were also sworn to by his brother, said that he and his brothers owned 437,011 shares of the capital of the Gurgenheim Exploration Company, or less that 24 per cent. of its outstanding stock. They have no other interest whatever in the exploration company. The exploration company in turn owns 232,895 shares of the Utah company, or approximately 32 per cent. of the share capital. Mr. Gurgenheim said his own financial interest in the Utah company is his ownership in the Gurgenheim company, the same being true of in company, the same being true of brothers, except for the 960 shares need by Solomon. The statement that Guggenheims and their associates ectly or otherwise control the Utah ppany, he said, is absolutely without midation.

ontinuing the affidavit showed that solution the affidavit showed that blomon R. Guggenheim owns 8.800 shares (the 774,000 outstanding of the Boston ompany, or a trifle over one per cent. Keept for these shares, he said, the Gugenheims had no interest and know nothing of the management of the Boston of

2.000,000 shares of the Nevada any, the affidavit continued, the enterin Exploration Company owns a shares, or less than 20 per cent. fore, with their holdings in the ration company, the Guggen-interests indirectly are about 76,000 s. In addition Paniel owns 52,067. In addition Daniel owns 52,007.

In addition Daniel owns 52,007.

58,558. Solomon R. 64,500 and addition making the total holdings for others 199,125 shares, or slightly in 10 per cent. Adding the indirect law of the law

I brothers is 275,125 shares, or liper cent. s charged by the complainants ajority of the capital stock of the company was owned by the Americal controlled by the American and Refining Company, owned by siggenheim and the other members siggenheim Sons. The affidavit of Giggenheim denied that any the Nevada company was every the American Smelters or that the livery was in any way interested any was in any way interested evada company. He asserted merican Smelting and Refining is not owned or controlled by enheim Sona, but has 10,000 re and widely distributed stock.

The American Smalting and Refining Company, he said, has not the remotest interest in the Newada company, while the interest of the Guggenheim Exploration Company is in the Utah company as against the Newada company.

To prove this Mr. Guggenheim said that the preparation company is the Utah company is 232,305 shares and in the Newada company 379,000 shares, which at the agreed rate of exchange is equivalent to 188,441 shares of the Utah company. Adding the entire holdings of the Guggenheims in the Newada company, he said, will receive upon conversion of their Newada shares 256,888 shares, as against 232,805 Utah shares now owned by the Exploration company and the 800,000 shares of Solomon R. Guggenheim.

Answering the statement that the Newada company has not earned dividends justifying so large an amount as \$40,000,000, Mr. Guggenheim said the facts are, the Newada company is paying dividends at the rate of \$1.50 on 2,000,000 shares, and the Utah company is paying dividends of \$2 on 734.750 shares. He expressed the belief that the agreement if carried out would be beneficial to both companies.

Another affidavit by Samuel Newhouse.

if carried out would be beneficial to both companies.

Another affidavit by Samuel Newhouse set forth that the affiant was well acquainted with Col. Walf. About a year ago Col. Walf told him he was in the Boston company and not interested in Utah. Col. Walf then told him that the Boston properties were worth more than those of the Utah company and advised him to oppose the proposed sale on that ground. Last Thursday Mr. Newhouse asked Col. Walf when he changed his mind and Col. Walf, it was alleged, said he had based his statements upon reports from the Utah company which he believed to be false. He told Mr. Newhouse that his sole object in the proceedings was to show up the rottenness of the Utah properties.

\$3,797,000 TRACTION SUIT. Receiver of N. Y. City Rallway Co. Seeks to Recover From Directors.

The equity action instituted by Receiver William W. Ladd of the New York City benefit to both corporations and Railway Company against the Metropolitan Securities Company, Thomas F. Ryan, Mortimer L. Schiff, Peter A. B. Widener, Paul D. Cravath, Herbert H. would not, as asserted by Col. Wall, be Vreeland and others was brought to ladd seeks to recover from the directors named as defendants \$2,797,200. which it is alleged was taken from the treasury by his own admission had received \$1,000 of the City company without considerator permitting his name to be used in the tion for the benefit of the Metropolitan Securities Company.

Alton B. Parker appeared as counse for Peter A. B. Widener, Francis Lynde Stetson for the other directors and Joseph H. Choate, Matthew C. Fleming and Theodore W. Morris for Receiver Ladd.

The complaint charges that about Pebruary 14, 1902, the defendants entered into a conspiracy to appropriate to the use of the Metropolitan Securities Com-pany large sums of money from the capital of the City company without any consideration to the latter under the guise of financing the \$23,000,000 pay-ment to be made by the City company to the Securities company, and that

ment to be made by the City company to the Securities company, and that as directors of the City company they paid to themselves as directors of the Securities company and to the company itself \$2.787,200 at the expense of the City company.

In opening for the receiver Theodore W. Morris said that the money was taken from the treasury of the New York City Railway Company to redeem at par the debenture notes of that company issued to the Securities company at 70.

Richard Reid Rogers replied to Mr. Morris and asserted that the Metropolitan Securities Company's part in the transactions at issue was wholly legal and was ratified by all the stockholders and by the Metropolitan Street Railway Company, which was practically the only creditor of the City company. The City company had a legal right to redeem its debentures at par whenever it had the money to use for the purpose.

The argument will be concluded to-day. The city of New York appealed yesterday from the order of Supreme Court Justice MacLean restraining Daniel Moynihan, Collector of Arrears of Taxes, from selling the liens on the Metropolitan and Second Avenue street railroads for taxes between 1900 and 1907. The appeal indicates that the compromise which was suggested at the time the injunction was granted has failed.

granted has failed.

MARINE INTELLIGENCE.

MINIATURE ALMANAC THIS DAY.

Sun rises....7:11 Sun sets.....5:05 Moon rises...5:05 HIGH WATER THIS DAT. Sandy Hook 7:21 Gov.Island.7:53 Hell Gate....9:46

Arrived—Mondar, January 24.

Ss Pennsylvania (Danish), Copenhagen, Dec. 28.

Sc Cincinnati, Hamburg, Jan. 18.

Ss Semmelsdijk, Rotterdam, Jan. 8.

Ss Prins Willem IV., Hayti, Jan. 17.

Ss Cettic, Liverpool, Jan. 18.

Ss Bristol City, Swansea, Jan. 18.

Ss Ancon, Cristobal, Jan. 19.

Ss Tuscarora, Shields, Jan. 7.

Ss Ponce, San Juan, Jan. 19.

Ss Caracas, San Juan, Jan. 19.

Ss Caracas, San Juan, Jan. 19.

Ss Corolaya, Bermuda, Jan. 12.

Ss Alleghany, Kingston, Jan. 22.

Ss Alleghany, Kingston, Jan. 19.

Sc Comus, New Orleans, Jan. 19.

Ss City of Savannah, Savannah, Jan. 22.

Ss Navahoe, Wilmington, Jan. 21.

Ss Navahoe, Wilmington, Jan. 21.

Ss Chesapeake, Baltumore, Jan. 22.

Ss Monroe, Norfolk, Jan. 23. Arrived-Monday, January 24.

ARRIVED OUT.

Se Barbarossa, at Genoa from New York.
Se Corsican Prince, at Rio Janeiro from New York.
Se Prins Willem V., at Havre from New York.

SAILED FROM POREIGN PORTS.

Ss Amerika, for New York from Cherbourg. Ss Pannonia, for New York from Olbralter. Ss Koenig Albert, for New York from Gibralter. Ss Cedric, for New York from Alexandria.

-	KronprinzWithelm, Bremen	Close.	Saft.
;	Grecian Prince, Pernam-	12 00 M	3 00 P M
1	Dominic, Para	12 00 M	3 00 P M
•	Apache. Jacksonville Monroe, Norfolk	********	1 00 P M
	Sail To-mor		
5 \$	Campania, Liverpool Bermudian, Bermuda Orotava, Bermuda	5 00 A M	9 00 A M 10 00 A M
	Oceania Trieste	12 00 M	3 00 P M
t	Camaguey, Guantanamo Iroquois, Jacksonville Denver, Galveston	********	10 00 A M 3 00 P M 1 00 P M 1 00 P M 1 00 P M
t	Comal, Tampa. Princess Anne, Norfolk	*********	12 00 M 3 00 P M
1	Sall Thursday, J.	anuary 27.	
	La Touraine, Havre Merids, Havana	7 00 A M	10 00 A M
	Merids, Havana	9 00 A M	11 00 A M 2 00 P M 10 00 A M
	Zielen, Bremen	******	10 00 A M
9	Ancona, Napics City of Savannah, Savannah Hamilton, Norfolk	2	3 00 P M
8			911-17
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day. January 27.

March 7 was set yesterday by Judge Hough in the United States Circuit Court for the trial of Fritz Augustus Heinze on two outstanding indictments found nearly two years ago. These indict-ments have been consolidated and tolifteen for overcertification of the Otto Heinze & Co. checks, fifteen for misapplication of the funds of the Mercantile National Bank and one count charging the misapplication of \$500,000 of the bank's funds for Heinze's own benefit.

John B. Stanchfield moved to quash the conspiracy indictment against Fritz Augustus Heinze, Arthur P. Heinze, San-O. Geer for the removal and mutilation of the account books of the United Copper of the account books of the United Copper Company. Mr. Stanchfield asserted that neither F. Augustus Heinze nor Carlos Warfield had any knowledge of the facts contained in the indictment. The same assertion was made by William Rand, Jr., on behalf of Arthur P. Heinze. Both lawyers said that John P. Fernsler, the expert public accountant who assisted the District Attorney in the Heinze investigation, was in the Grand Jury room when the conspiracy indictment was vestigation, was in the Grand Jury room when the conspiracy indictment was found. District Attorney Wise denied this, whereupon Mr. Rand said that George Baglin, a former official of the United Copper Company who testified before the Grand Jury, was prepared to submit an affidavit that Fernsler was present in the Grand Jury room when that indictment was found. Mr. Wise said that in that case he would submit an affidavit to the effect that such a statement was false and would proceed against Baglin.

Baglin.
The Court gave both sides until this morning to submit their affidavits. THE GRAIN MARKETS.

Prices Decline-Large Wheat Receipts-Export Trade Bull-Liverpool Lower -Shorts Cover.

Wheat fell. It could not stand up under the weight of heavy receipts in the absence of an export demand. Waiting for the trial yesterday before Judge Ray in the like waiting for the river to run by. Few Ladd coeks to the receipts to diminish seems a good de like waiting for the river to run by. Few people see prospects of an early decrease people see prospects of an early decrease in the receipts despite the numerous as-sertions that farmers are not selling. Vesterday the spring wheat arrivals amounted to \$57,018 bush, and the winter to \$86,376, to \$57,018 bush, and the winter to \$88,376, or a total of 1,243,394, against 766,138 a year ago. Chicago reported the cash market sluggish, with prices easier. Cash interests were selling futures there. Liverpool was disappointing. It fell it to id. A Busnos Ayres cable said that locust damage was not serious, and though arrivals of new wheat are light a heavy movement is expected shortly. Fagland was offering to sell winter wheat here that was purchased on this side of the water some time ago. The reported price was \$1.30 c. i. f. New York. Minneapolis reported an increase in the slock there for two days of 140,000 bush. The visible increased i7,000 bush. On the decline shorts covered and there was some buying by commission houses. Minneapolis reported a good milling demand for cash wheat and brisk buying demand for cash wheat and brisk buying of May futures by local mills there. The world's shipments for the week, socording to Broomhall, were \$,902,000 bush. against 9,408,000 hast year.

Harris, Winthrop & Co. said: "We see many things that make for lower priced wheat and mighty few that might make higher prices. We think that sales at the market and on a scaleup will make profits." or a total of 1,243,394, against 766,138 a year

market and on a scaleup will make profits."

THE CORN SITUATION.

Corn here was nominal. At the West prices dropped owing to larger country offerings, a decline in cash prices, selling by elevator interests and heavy commission house liquidation. The visible decreased 156,000 bush. World's shipments, 2,055,000 bush., against 2,353,000 last week and 2,21s,000 last year. Primary receipts, 1,047,937 bush., against 1,018,181 last year. Liverpool was 5/6 lewer.

THE OATS PEATURES.

Oats at the West declined with the cest

THE GATS PEATURES.

Oats at the West declined with the rest of the list. Offerings from Illinois and other sections were larger, the cash market weakened and liquidation was heavy. The visible decreased 424,000 bush.

THE SPOT MARKETS.

Wheat was dull. Sales, 98,000 bush. Manitoba for export. No. 2 red, \$1.33 f. o. b. affoat for export; No. 1 Northern. Duluth, \$1.24%; No. 2 hard winter, \$1.25%; No. 1 Northern. Manitoba, \$1.19%; Futures closed.

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	May 68-7	84	AR.	67	67	6514
Н	July 67%	14	6754	6644	6634	673
1	September 67%	-14	6736	6612	6612	6713
п	May 48-7		48	4716	4714	48
	July 44-1		4414	4312	4319	4414
4	September 41%		4134	41	41	4196
п			ARERT	rs.		
ы			High.	Low-	Clos-	Prev.
н		9	est.	est.		Close.
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-	July .111			11013	11014	11136
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	Winnipeg May . 107		0754	10686	10634	10734
	July 107	72 1		10714	10744	10554
1	Toledo May .127			13614	12612	12776
П	July 105			10414	10416	105 12
П	Kan. City May .106			10514	1051	10646
М	July . 93		95	9434	94 7	9414
	St. Louis, May 111	36 1		1104	11054	11176
	July .100		00%	9914	901-	10074
н	Corn:	and the same	-			
6	Kan. City . May . 66		6694	6576	6576	6714
	St. Louis. May . 68	18	5598	6714	6734	6839
	99					

FLOUR.—Dull. Spring: Patents, \$5.75@ \$6; clears, \$4.75@\$5; Kansas straights, \$5.25@ \$5.50. Rye flour, \$4.20@\$4.60.

MONEY AND EXCHANGE.

Money on call on the floor of the Stock Exchange to-day loaned at 3 and 3½ per cent, and closed at 3 per cent. The bulk of the business done was at 3½ per cent, against a similar average rate last week of 3½ per cent. The time money market for all dates exhibited a distinctly easier tone. Offerings were in larger volume and a considerable business was done at 4 per cent, for sixty and nihety days and at 4 to 4½ per cent. for four, five and six months. Commercial paper was quoted at 4½ to 5 per cent. for prime single names and indorsed bills receivable; other names, 5 to 3½ per cent.

THE COTTON MARKET.

Sharp Decline Despite a Bullish Census Report on the Ginning-Spot Markets Quiet, Though Generally Reported Interests Sell. A bullish ginners' report seems to have

been seized upon as an opportunity to liquidate both here and in Liverpool and prices gave way sharply. Large spot interests sold, it is believed, freely. American selling and realizing were reported in Liverpool. Some of the selling there appears to have been against straddles, and as might have been expected Liverpool was buying here. The Liverpool spot aless were only \$0.00 bales. The weakness in stocks and grain affected cotton. It is contended that though the world's supplies seem inadequate for a normal season they are large enough for the immediate demand. Meantime the indications point to an enormous acreage and under favoring conditions a correspondingly large crop next season. Moreover whatever well known and admittedly experienced and intrepid operators may do on the buil side, undismayed by recent events, it seems improbable that the outside public can be induced to reenter the market for some time to come. The knife cut deep and the wounds are still raw.

On the other hand the drastic liquidation and the recent decline of about \$15 a bale impressed not a few with the idea that a substantial rally is due, even if it should prove to be only temporary. The census report on the ginning up to January is puts the total at only \$792,990 bales, against \$2,568,203 for the same period last year, when the crop was \$13,525,457 bales, and 10,339,551 for the same period the year before, when the yield was \$1,571,966 bales. The ginning for the fortnight covered by the report issued yesterday amounted to only \$145,683 bales, against \$28,659 in the previous fortnight, 200,905 last year, \$35,046 two years ago and \$435,160 three years ago, when the crop was \$13,10,982. Yesterday's report leads very many to believe that the Government was not far wrong in its December crop estimate of about \$10,190,000 bales, to allow for possible mistakes it is been seized upon as an opportunity to liquidate both here and in Liverpool and

report leads very many to believe that the Government was not far wrong in its December crop estimate of about 10,100,000 bales.

Even if the total crop is put at 10,500,000 bales to allow for possible mistakes it is urged that the future holds out a threat of great scarcity of cotten and of materially higher prices. It remains to be seam whether the event will justify such predictions. They are made by some experienced men. Meantime, although spot cotton is very generally reported quiet at the South, prices there have recently shown noticeable steadiness and some spot dealers here insist that the demand is really far hetter at Southern markets than is generally supposed. Spinners, too, have bought futures heavily of late and were buying again yesteralsy. Wall Street houses again took hold on the break and there was also considerable covering in realizing profits on the short side. Futures are materially lower than spots, a fact which naturally suggests the idea that either the decline in futures has been overdone or else that spot cotton must scoper or later follow futures and close up the unusual gap between the two. Seliers reported: Messrs. McFadden, Hayden, Carpenter, Parrott, Schill, Mitchell; buyers, Messrs, Hubbard, Weld, Siedenburg, Hutton, Bache, Brown. The sudden and unexpected death of Charles A. Shearson of the firm of Shearson, Hammill & Co. is decely regretted by a large circle of friends throughout the country. He was a man of more than ordinary ability, at once conservative and progressive, and much respected, and his death is a genuine loss to the New York Cotton Exchange.

Theodore H. Price issued the following over the signature of Carl Geller: "My advice to the spinner is to continue to buy only the strictly necessary and to the holder to dispose of his cotton while it will yet bring a fair profit. The bull campaign of 1909-19 is dead and no amount of manipulation can resurrect it."

Theodore H. Price issued the following over the signature of Carl Geller: "My advice to the spinner is to co

New Orleans futures were as follows:

Open High Low-Closing. csf. csf. ing.

March. 14.55 14.63 14.25 14.51
May. 14.73 14.52 14.45 14.51
May. 14.75 14.52 14.65 14.55 Spot cotton here declined 35 points.
Middling, 14.35c. Sales, 1.610 bales; delivered on contracts, 6,700. Southern spots
generally unchanged. Sales: Houston, 1.186
bales; Memphis, 385; Galveston, 300: New
Orleans, 235; Savannah, 100: Augusta, 24.
The movement was as follows:

	A 110 ILIO TOTO CALL WAS IN LOTTO WS.	
1	Yesterday, Last week.	1909.
	Port receipts 19.455 18.471	48,176
	Since September 1 5,371,795	7.239,658
	Port exports 31,585	10000
	Since September 14,064,504	5,573,326
	Interior receipts 17.515 18,068	18.922
	Interior shipments 17,308 15,490	19,815
	in Liverpool spot cotton adva point. Middling, 7.74d. Sales, 8.09 imports, 1,000. Futures opened points higher, but reacted and declif 7. Prices as follows:	o bales:
	January February 7.504 7.57 May June 7.57 7.63	5.121/5 5.051/2

July August 7 5614 7 6314 5 08 October-November 6 67 6 7414 4 91 Liverpool is due to come 9 to 10 lower to-day.

The Metal Market.

	erday.	Fri	
Spot	Asked. 13 3714	Bid.	Asked.
January 13 25	13 3714		13 3712
February 13.25	13.3712	13.1214	13 3714
March	13.3714	13.1254	13.3712
Spetter 6.10	6.25	6.10	6.25
Lead	32 6214	82 OD	32 35
London prices were:			
(ACCUMANCE AND	Yesterd		riday.
	£ 8. 6		€ s. d.
Copper, spot	60 IZ	0 0	1 8 0

Tin, spot... Tin, futures. Lead... Chamber of Commerce at White Plains. ALBANY, Jan. 24 .- Articles of incorporation of the Westchester County Chamber of Commerce, with principal offices in White Plains, were filed to-day with the Secretary of State. The directors include James G. Gannon of Scarsdale, Senator J. Mayhew Wainwright of Rye, Joseph S. Wodd of Mount Vernon and George B. Corsa of New York.

Schehnings to-day loamed at 3 and 34; per cent. The line of the company of the co Court Calendars This Day.

THE REAL ESTATE MARKET

IN 25TH STREET.

R. P. Zobel Buys a Plot in 32d Street.

details of which will be found in another of the commonplace order. The volume of trading at private contract was small in building sites. In the Vesey street exchange a Harlem tenement house was was extremely quiet even for this time of the year. Only one unimportant building operation was projected in Manhattan. No plans for new constructions were filed in The Bronx.

HARRISON STREET.—Herbert A. Sher-man has sold for Edmund L. Bayles and the New York Life Insurance and Trust Company as executors and trus-tees of Mary Rhinelander King Nos. 47 and 49 Harrison street, two five story buildings, on plot 45.1287.42 Irregular, adjoining the southeast corner of West

adjoining the southeast corner of West street.

TWENTY-FIFTH STREET.—Dr. Carlos L. Henriques has purchased from Leonard I. Hill for the Henriques estate No. 50 West Twenty-fith street, a four story and basement dwelling, on lot 19x89. about 150 feet east of Sixth avenue. The property adjoining at Nos. 52 and £4 was sold a few days ago.

AMSTERDAM AVENUE.—The Irving Judis Building and Construction Company has sold the Maryland, a new six story apartment house with stores, on plot 75.11x100. at the northwest corner of Amsterdam avenue and 195th street for about 2250.000. SEVENTH AVENUE.—The Monaton Realty Investing Corporation has purchased through Arnold, Byrne & Baumann from the Jaeger Bros. Realty Company the six story apartment house with stores at the portheast corner of Seventh avenue and 141st street, on plot 30.11x100.

218TH STREET.—John H. Behrmann has sold for George Bezold to Michael Cos-tello his residence and barn, on plot 55x100, at the southeast corner of Bronxwood avenue and 216th street, Laconia Park.

irregular, 325 feet east of Ninth avenue.
MADISON AVENUE.—The Madison Avenue Presbyterian Church has bought from C. K. G. Billings No. 921 Madison avenue, a four story garage on lot 27.9x 80. adjoining the church edifice at the northeast corner of Seventy-third street. The present plan is to convert the building into a parish house, to be used in connection with the Sunday school work. It is understood that the price paid for the property was \$60.000. An anonymous denor provided the money, but the church will raise a sufficient fund to make the alterations.

& Co.
Mrs. Charles E. Wilcox, buyer of No. 150
West Seventy-eighth street, sold recently.
The Acme Building Company is the buyer
of No. 92 Fifth avenue, sold recently by
the Brown Realty Company.

Burton Thompson has sold the Kennedy farm at Manhasset, L. I., to C. H. Schultheis. The tract comprises 100 acres and has a large frontage on the North Hempstad turnpike. The Kennedy family have held title to this property for some fifty years. The purchaser's present idea is to subdivide the property into high class villa plots.

Leases.

Important Auction Offerings To-day.

ERECS.

A satisfactory business year was indicated in the annual report of the trustees of the Title Guarantee and Trust Company to the stockholders at the annual meeting last week. During the last seven years the company has saved from earnings \$5,968,-613, and its capital, surplus and undivided profits now amount to \$14,218,227.

The company reports it is finding a market for Staten Island loans and that business in Queens showed a decided improvement above the excellent business of 1908. After three years work the only tax plant in Long Island City, in Queens county, has been completed.

DR. CARLOS L. HENRIOUES BUYS

Some Uptown Apartment Houses Figure in the Trading—The Demand. How-ever, Was Chiefly for Building Sites—

Apart from the sale of Gien Island olumn, yesterday's brokerage news was and was made up chiefly of transactions sold in foreclosure proceedings to the plaintiff for considerably less than the encumbrances. The building industry

avenue and 216th street, Laconia Park.
223D STREET.—John H. Behrmann has
sold for Mirabella & Miano the two one
story frame buildings, with stores, on
plot 50x114, at Nos. 724 and 726 East
223d street, to a prominent wholesale
grocer of Harlem.
211TH STREET.—W. J. Huston & Son have
sold for Lincoln McCormack six lots on
the south side of 21th street between
Ninth avenue and the Harlem River.
The property is divided into two plots,
one 100x86.8x irregular, 175 feet east of
Ninth avenue, and the other 50x92.10x
irregular, 325 feet east of Ninth avenue.
MADISON AVENUE.—The Madison Ave-

alterations.

SIXTIETH STREET.—The Ruckert estate has sold No. 218 West Sixtieth street, a five story tenement on lot 27x100.5, to Lewis A. Cushman, who recently acquired Nos. 218 and 220, adjoining. He will erect a six story factory which will be used in conjunction with the similar abutting structure at No. 517 to 521 West Fifty-ninth street.

Robert P. Zobel, president of the Brunswick Realty Company, is the buyer of No. 118 to 124 West Twenty-second street, sold recently by the State Realty and Mortgage Company, Judson S. Todd president. Edward Josephy is the buyer of No. 315 West Saventy-seventh street, sold recently by Daniel R. Freedman through L. J. Phillips & Co.

Kennedy Farm at Manhasset Sold.

J. M. Bell, wholesale liquor dealer, has leased from James Cruikshank the six story fireproof building recently erected at No. 433 Washington street for ten years at an aggregate rental of \$350,000.

Koler & Smith have leased the five story building at No. 112 Worth street for five years at an aggregate rental of \$15,000.

Bryan L. Kennelly will sell at auction at the Vesey street salesroom to-day by order of the administrator of the estate of Clinton Adams, deceased, No. 71 West Sixty-eighth street, a five story American basement dwelling, also No. 108 East Fifty-fourth street, a five story brick double flat; No. 11 East Ninety-fifth street, a three story and basement dwelling, and No. 156 East Seventy-ninth street, a four story and basement brownstone flat.

A National Market for New York Mort

plant in Long Island City, in Queens county, has been completed.

The company's "national mortgage market" plan is making good progress with its \$200 instalment mortgage certificates. They have made many popular features which seem to have aroused an interest in the larger certificates, sales being made in the Philippines, the Hawatian Islands, South America. and in almost every State in the Union. The mortgages sold by the company during the year aggregate \$65,326,521.

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SO MUCH TO SEE! SO MUCH TO DO! SO MUCH TO ENJOY! It's All on the East Coast Special de luxa electric-lighted Pu man trains between New York an principal East Coast resorts. Leave to minals daily except Sunday, connection at Miami with steampships for Nassau, and at Knights Key with steampship for Key West and Havana. Only 51 hours, New York to Havana. DAILY SERVICE; sine (9) daylight hours on the beautiful Southern See after seet unique trip over the SEA-JOING RAILROAD. For full information, booklet, etc., apply to Lecal Ticket Agent, or to the Marida East Coast offices, at

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Choice lots, \$75 up, on easy payments; houses built to order and sold on easiest terms; highly restricted; cement sidewalks; water and electric lights. Call, write or phone for map and free tickets.

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BLEGANT 9 room modern home every im-provement: one minute Ampere Station. Lacka-wanna; price only \$5,500; terms \$500 cash. You investigate. 204 Amberst at., East Orange, N. J. SELECT APARTMENTS

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NEW JERSEY Atlantic City.

WINTER RESORTS

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Judge Hand of the United States District Court has granted a discharge in
bankruptey to Dr. Henry W. Schlesinger,

M. KENNELLV, Abetioneer, 136 Broadway,

M. KENNELLV, Abetioneer, 136 Broadway,

M. Schlesinger,

M. Schlesinger, 197 Company 198 C